

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
APRIL 14, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, April 14, 2020, at 9:00 a.m. Commissioners Denny Kemp, Jack Kolars, Marie Dranttel, Terry Morrow, and John Luepke were present. Also present were County Administrator Ryan Krosch, County Attorney Michelle Zehnder Fischer and Recording Secretary Abigail Lewis.

The meeting was held via teleconference pursuant to Minnesota Statute 13D.021. There were no public comments submitted by email or phone. No members of the public requested to participate in the meeting by phone. The meeting was recorded and broadcast live online.

Approval of Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the agenda. Motion carried with all voting in favor on a roll call vote.

Introduction of New Employees - None

Consent Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the March 24, 2020 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$306,909.51, Road & Bridge Fund - \$100,645.16, Human Services Fund - \$204,130.28 and acknowledge review of the Auditor's Warrants; 2019 Budget Amendment – Sheriff's Office Project and end of probation for Cody Johnson effective on March 28, 2020 and Tyler Polzin effective April 2, 2020. Motion carried with all voting in favor on a roll call vote.

Administration

Proclamation Recognizing National County Government Month – April 2020

County Administrator, Ryan Krosch, appeared before the Board to request a Proclamation Recognizing April 2020 as National County Government Month.

Each year the month of April is recognized a National County Government Month. Each day the nation's 3,069 counties provide essential services to more than 300 million Americans. Since 1991, the National Association of Counties has encouraged counties to use National County Government Month as a time to elevate awareness of county responsibilities, programs and services.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to Recognize April 2020 as National County Government Month. Motion carried with all voting in favor on a roll call vote.

**National County Government Month - April 2020
"Counties Matter"**

WHEREAS, the nation's 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties provide health services, administer justice, keep communities safe, foster economic opportunities and much more; and

WHEREAS, Nicollet County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, the National Association of Counties National County Government Month theme for 2020 is "Counties Matter", demonstrating how counties help to improve people's lives every day; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

WHEREAS, the Nicollet County Board of Commissioners and all Nicollet County employees are committed to fulfilling the County's mission statement by "providing efficient services with innovation and accountability".

NOW, THEREFORE, BE IT RESOLVED THAT, the Nicollet County Board of Commissioners, do hereby proclaim April 2020 as National County Government Month and encourage all county officials, employees and residents to recognize and celebrate the services provided by county government.

Resolution Declaring Intent to Reimburse Certain Expenditures from the Proceeds of Bonds

Administrator Krosch requested approval on the Resolution Declaring Intent to Reimburse Certain Expenditures from the Proceeds of Bonds.

As part of Nicollet County's capital improvement planning, IRS regulations require us to identify possible projects or purchases we may want reimbursement for from the proceeds of bonds. The resolution included in the packet gives the option for the County to reimburse ourselves with bond proceeds at a later date after the identified expenditures have been made.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Resolution Declaring Intent to Reimburse Certain Expenditures from the Proceeds of Bonds. Motion carried with all voting in favor on a roll call vote.

RESOLUTION DECLARING THE OFFICIAL INTENT OF NICOLLET COUNTY TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE COUNTY

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, Nicollet County, Minnesota (the "County"), expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of one or more tax-exempt bonds;

WHEREAS, the County has determined to make this declaration of official intent (the "Declaration") to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NICOLLET COUNTY AS FOLLOWS:

1. The County proposes to undertake the following projects (together, the "Project"):

<u>Project/Purchase</u>	<u>Department</u>	<u>Cost</u>
Courthouse HVAC System Changeover	Facilities	\$65,000
Jail Recreation Area Concrete	Facilities	\$100,000
North Mankato Bld. Remodel - Phase I	Facilities	\$500,000
New Parking Lot	Facilities	\$500,000

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HHS Parking Lot	Facilities	\$35,000	
Technology Projects	Technologies	\$200,000	
Lease Staff Vehicles	HHS	\$38,900	
Lease/Purchase Vehicles	Sheriff		\$112,188
Public Works Equipment	Public Works		\$1,346,000
Road and Bridge Projects	Public Works		\$9,210,348
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New Jail Elevator	Facilities	\$200,000	
New Plow Truck	Facilities	\$35,000	
North Mankato Bld. Remodel - Interior	Facilities	\$1,800,000	
Public Works Equipment	Public Works	\$600,000	

2. The County reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of tax-exempt bonds in an estimated maximum principal amount of \$5,200,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraphs 1 and 2 are consistent with the County's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Resolution Approving the 2020-2024 Capital Improvement Plan

Administrator Krosch requested approval on the Resolution Approving the 2020-2024 Capital Improvement Plan.

The 2020-2024 Capital Improvement Plan (CIP) was discussed at the March 17, 2020 Board Workshop. The CIP is intended to be a road map used to help guide the County's capital expenditures over the next five years. Administrator Krosch highlighted a few of the projects included in the plan.

Motion by Commissioner Kemp and seconded by Commissioner Kolars to approve the Resolution Approving the 2020-2024 Capital Improvement Plan. Motion carried with all voting in favor on a roll call vote.

RESOLUTION ADOPTING A
2020 – 2024 CAPITAL IMPROVEMENT PLAN

WHEREAS, pursuant to Minnesota Statutes, Chapter 475, as amended, and Section 373.40, as amended (collectively, the "Act"), counties are authorized to adopt a capital improvement plan and carry out programs for the financing of capital improvements; and

WHEREAS, Nicollet County, Minnesota (the "County"), has caused to be prepared the "2020–2024 Capital Improvement Plan for Nicollet County, Minnesota" (the "Capital Improvement Plan"); and

WHEREAS, in considering the Capital Improvement Plan, the Board has considered for each project and for the overall Capital Improvement Plan:

1. the condition of the County's existing infrastructure, including the projected need for repair and replacement;
2. the likely demand for the improvement;
3. the estimated cost of the improvement;
4. the available public resources;
5. the level of overlapping debt in the County;
6. the relative benefits and costs of alternative uses of the funds;
7. operating costs of the proposed improvements; and
8. alternatives for providing services more efficiently through shared facilities with other local government units; and

WHEREAS, the Capital Improvement Plan is intended to be a guide that is subject to change and does not commit the County to completing any of the improvements.

NOW, THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners hereby adopts the 2020 – 2024 Capital Improvement Plan as presented.

2020 First Half Property Tax Collections, Penalties and Settlements

Administrator Krosch brought forth the discussion on 2020 first half property tax collections, penalties and settlements. The County Board has the authority under MN Statute 279.01 to abate tax penalties if they found the imposition of those penalties would be unjust and unreasonable. The COVID-19 pandemic has created a situation that allows the County Board to consider this authority under 279.01. Administrator Krosch recommended that the Board not take any action on this item at this time, but encouraged the Board to wait until the April 28, 2020 Board meeting to make a decision on waiving tax penalties.

Administrator Krosch invited Public Services Manager Jaci Kopet to the podium to discuss this item further. Manager Kopet discussed two tax settlement scenarios for the Board to consider should they decide to waive or reduce tax penalties. The Board agreed to wait until the April 28, 2020 meeting to make any decisions on waiving tax penalties.

County Attorney

Proclamation of Crime Victims' Rights Week

County Attorney Michelle Zehnder Fischer appeared before the Board to request approval on the Proclamation of Crime Victims' Rights Week.

Attorney Zehnder Fischer read the proclamation into the record and added that due to restrictions currently in place from the COVID-19 pandemic, community education outreach will take place later this fall.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to recognize the week of April 19-25, 2020 as Crime Victims' Rights Week. Motion carried with all voting in favor on a roll call vote.

Crime Victims' Services Week Proclamation

WHEREAS, the victims' rights movement has resulted in the passage of laws at the local, state, and federal levels that established essential rights for victims;

WHEREAS, crime victims' rights acts passed here in Minnesota and at the federal level have provided victims with ways to participate meaningfully throughout the criminal justice process;

WHEREAS, the rights of crime victims are best protected when all participants in the criminal justice process – not only victims – are appropriately educated about victims' rights;

WHEREAS, supporting victims of crime is crucial to the U.S. justice system because our support honors the experiences of victims and allows them to find autonomy and empowerment through achieving self-defined goals;

WHEREAS, we must help victims access the justice, assistance, and support they need to rebuild their lives;

WHEREAS, in addition to the justice sought in the courts, advocacy by and for victims of crime is itself a form of seeking justice;

WHEREAS, the accomplishments of the victims' rights movement – achieved through compassion and collaboration, and built on the courageous advocacy of individual victims and their families across the country – inspire in us hope for future progress and greater healing;

WHEREAS, we are determined to respond to crime and violence by helping victims find not only support, recovery, and justice, but also a sense of hope for their future;

WHEREAS, National Crime Victims' Rights Week provides an opportunity to recommit to ensuring that accessible, appropriate, and trauma-informed services are offered to all victims of crime;

WHEREAS, Nicollet County is hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim responders, and working for a better future for all victims and survivors.

NOW, THEREFORE, I, as Chairman of the Board of Commissioners of Nicollet County, do hereby proclaim the week of April 19-25, 2020, as and reaffirm this County's commitment to continuing a victim service and criminal justice response that assists all victims of crime during Crime Victims' Rights Week and throughout the year; and to express our sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving our response to all victims of crime so that they may find relevant assistance, support, justice, and peace.

Informational Items

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Nothing to report

Commissioner Terry Morrow

- Public Health Weekly Check-In

Commissioner Denny Kemp

- MRCI Executive Meeting
- South Central EMS Meeting
- MRCI Meeting
- Statewide Emergency Finance Committee

Commissioner Jack Kolars

- Traverse des Sioux Library Finance Committee Meeting

Chair's Report

- AMC Webinar

Approve Per Diems and Expenses

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the expenses and per diems for the meetings noted above during the Commissioner Reports and/or as submitted on approved expense reports, and authorize payment of those expenses and per diems by the Finance Office. Motion carried with all voting in favor on a roll call vote.

Adjourn

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. Motion carried with all voting in favor on a roll call vote. The meeting adjourned at 10:06 a.m.



JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



RYAN KROSCH
CLERK TO THE BOARD